

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of WAYLAND
Town
Village

Local Law No. 4 of the year 1995

A local law REQUIRING PERMITS FOR BUILDING AND CONSTRUCTION ACTIVITY,
FOR PLACEMENT OF MANUFACTURED HOMES, FOR REGULATION OF
MOBILE HOME PARKS AND FOR LAND AREA REQUIREMENTS
(Insert Title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

County
City of WAYLAND as follows:
Town
Village

A LOCAL LAW REQUIRING PERMITS FOR BUILDING &
CONSTRUCTION ACTIVITY, FOR PLACEMENT OF
MANUFACTURED HOMES, FOR REGULATION OF MOBILE
HOME PARKS AND FOR LAND AREA REQUIREMENTS.

WHEREAS, recognizing that the assessment of real property and improvements form the basis for all real property taxation in the Town of Wayland, and

WHEREAS, the law requires equitable and just assessment of all said real property and improvements; and

WHEREAS, the assessor in the Town of Wayland is in need of accurate information and records regarding the construction and erection of buildings and the placement of mobile homes and trailers; and

WHEREAS, such accurate information and records will promote the public welfare and well being by a fair, equitable and just method of assessment of real property of the residents and owners of land in the Town of Wayland, and

WHEREAS, it is the purpose of this Local Law to promote the health, safety, morals & general welfare of the inhabitants of the Town of Wayland by the proper regulation and enforcement by the NYS Code Enforcement Officer.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

NOW, THEREFORE, for the aforementioned purposes, the Town Board enacts this Local Law, pursuant to Section 10 Municipal Home Rule Law, to wit:

SECTION 1.

I. NAME

This local law shall be known as "THE BUILDING AND MOBILE HOME PERMIT LAW" of the Town of Wayland.

II. INTERPRETATIONS

Unless the context otherwise requires, the following definitions will be used in the interpretation and construction of this Local Law. Words used in the present tenses include the future; the singular number shall include the plural, and the plural the singular; the word "structure" shall include the word "building", the word "used" shall include "arranged", "designed", "constructed", "altered", "converted", "rented", "leased", or "intended to be used", and the word "shall" is mandatory and not optional.

III. DEFINITIONS

1. **Accessory Use or Accessory Structure.** A use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building.

2. **Dwelling.** Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, except a mobile home or trailer.

3. **Lot.** A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for principal use and uses accessory or incidental to the operation thereof, within a residential setting in an Agricultural District.

A. **Lot Lines.** The property lines bounding the lot.

B. **Lot Line, Front.** The line separating the lot from a road.

C. **Lot Line Rear.** The lot line opposite and most distant from the front lot line.

D. **Lot Line, Side.** Any lot line other than a front or rear lot line. A side lot line separating a lot from a road is called a side road lot line.

E. **Lot Line, Road.** A lot line separating the lot from a road.

F. **Lot Width.** The distance between the two side lot lines measured at the required setback line.

G. **Lot, Depth.** The mean horizontal distance between the front and rear lot lines.

SECTION 2. PROVISIONS FOR BUILDING; CONSTRUCTION ACTIVITY AND PLACEMENT OF MOBILE HOMES.

1. Permits. For Building and Construction Activities and Placement of Mobile Homes: No person, firm, or corporation shall engage in any building or construction activity, as defined herein, on land within the Town of Wayland without first obtaining a separate permit for each such building or construction activity.

2. Application. There shall be submitted with all applications for permits, one copy of a layout or plot plan showing actual dimensions of the structure to be erected and/or the exact location on the lot of the placement site for mobile home. Such application shall also set out pertinent information with regard to the erection or construction of any building and/or addition thereto as required in the application form.

3. Review and Issuance. The Town Board is hereby designated to review all permit applications and/or shall delegate such review and examination to the Code Enforcement Officer. The Code Enforcement Officer shall issue the permit in accordance with this local law. A copy of the permit and information submitted shall be furnished to the Assessor of the Town of Wayland.

4. Application Fee. Non-refundable fees will be charged to the permit applicant and paid by said applicant in amounts and rates established by the Town Board by resolution and will be paid to the Town Clerk or other such person as designated by the Town Board.

5. Permit Duration. All permits issued will be valid for one (1) year from the date of issuance, at which time each permit used must be renewed.

6. Warning and Disclaimer of Liability.

a) *Tax Purposes:* The permits required by these regulations are considered reasonable for tax purposes.

b) *Disclaimer of Liability:* These regulations shall not create liability on the part of the Town of Wayland, or any officer or employee thereof, on the basis or claim that damages resulted from building or construction in reliance upon a permit issued by the Town of Wayland.

7. Effect on other Laws. The provisions of this local law shall take precedence over any other law, ordinance, and code in effect in the Town of Wayland, except for Local Law No.1 of the year 1991 and geographical area covered by said Local Law No. 1 of the year 1991 to wit: the area surrounding Loon Lake defined as a special flood hazard area. Furthermore, this Law shall not apply within the limits of the Village of Wayland, County of Steuben, State of New York.

4. **Mobile Home.** A vehicle or movable dwelling structure which is minimum size 500 sq. ft. and which is designed to be used for living or sleeping quarters and which stands on wheels or on rigid supports, or on a foundation and which contains not more than one dwelling unit; but excluding prefabricated homes or sections thereof and also excluding recreational equipment as defined herein.

5. **Mobile Home Park.** The term "Mobile Home Park" as used in this Local Law shall be defined as any lot, piece or parcel of ground whereon two or more mobile homes are located or parked.

6. **Park Unit.** The term "Park Unit" as used in this Local Law shall be defined as the lot or space in any mobile home park which shall be assigned to or used and occupied by any one mobile home.

7. **Multiple Dwellings.** A dwelling used or designed for use as a multiple dwelling as defined in the New York State Multiple Residence Law.

8. **Recreational Equipment.** A motor home, travel trailer or utility trailer.

9. **Special Use.** A special use is a use which because of its unique characteristics requires individual consideration in each case by the Town Board before it may be permitted in the district enumerated in this local law.

10. **Structure.** A walled or roofed building, either above or below ground level, including a commercial gas or liquid storage tank, mobile homes, a storage building or anything permanently placed on a foundation.

11. **Yard.** Any open space, which lies between the principal building or group of buildings and nearest lot line and is unoccupied or unobstructed from the ground upward except as herein permitted.

A. **Yard, Front.** An open space, which lies between the principal buildings or group of buildings and the front lot line and is unoccupied or unobstructed from the ground upward.

B. **Yard, Rear.** An open space extending the full width of the lot between a principal building and the rear lot line and is unoccupied or unobstructed from the ground upward.

C. **Yard, Side.** An open space extending from the front yard to the rear yard between a principal building and any side lot line and is unoccupied or unobstructed from the ground upward.

SECTION 3. REGULATION OF MOBILE HOMES NOT LOCATED IN MOBILE HOME PARKS.

1. Highway Parking Prohibited:

- a) No mobile home shall be parked or allowed to remain upon any public highway in the Town of Wayland.
- b) No mobile home shall be parked or located on any land within the Town of Wayland, other than a mobile home park, without a permit therefore.

2. Permit Required: The Code Enforcement Officer shall issue a permit for parking the mobile home outside a mobile home park, providing that the owner of the premises or tenant shall make a written application therefore, including a diagram to scale, showing the proposed location and surrounding properties, of compliance with area requirements. The permit is effective so long as such mobile home shall be so located, and change of ownership of premises on which said mobile home is made by sale or assignment and provided the premises are being maintained in a sanitary and safe manner.

3. Application: This section shall not apply, and no permit shall be required for, unoccupied mobile homes stored or held for sale or lease by owner or occupant of premises for a period not exceeding 180 days nor for more than one unoccupied motor home or travel trailer, nor to mobile homes permanently attached to the real property on which they are situated as of the date of adoption of this Local Law.

5. Skirting and Septic. Mobile homes shall be skirted with a permanent type of material within thirty (30) days after placement on lot and each mobile home shall provide and maintain a sewer system adequate to meet the requirements of the New York State Department of Health, or local Code Enforcement Officer.

6. Mobile Homes on Pre-existing Lots: Mobile homes legally placed on lots prior to the effective date of this Local Law may be replaced by the newer or more modern mobile homes, provided, however, that the following conditions shall be complied with:

- a) The mobile home has an approved septic system and water system.
- b) The mobile home has skirting installed within 30 days after placement on the lot.
- c) The fuel supply tanks shall be placed to the rear of the mobile homes as the mobile home faces the street or road and such tanks shall be no closer than five (5) feet to any exit.
- d) The wiring shall comply with the New York State Fire Underwriters' requirements.
- e) The newer or more modern mobile home shall be placed on the same site as the previous mobile home.

- f) The replacement mobile home must be installed within six (6) months of the destruction, demolition or removal of the old mobile home
 - g) Clearances shall be in accordance with the provisions of Part 1223.7 of subchapter D of the New York State Building and Fire Code.
 - h) Lot Size: one (1) acre
 - i) The mobile home has a HUD decal.
7. **Minimum Size:** Mobile homes shall be a minimum size of 500 square feet.

SECTION 4. MOBILE HOME PARKS

A. PLACEMENT OF MOBILE HOME PARKS

1. Permits Required For Mobile Home Parks

No person, firm or corporation being the owner or occupant of any land or premises within the Town of Wayland shall use or permit the use of said land or premises as a mobile home park without obtaining a permit.

2. Issuance of Permit And Fees For Mobile Home Park

The application for each mobile home park permit shall be in writing and signed by the applicant. It shall state:

- (a) The name and address of the applicant;
- (b) The name and address of each partner if the applicant be a partnership;
- (c) The name and address of each officer and director if the applicant be a corporation;
- (d) A complete description of the premises upon which the proposed park is to be located;
- (e) The name and address of the owner or owners of such premises;
- (f) The number of park units to be provided in the proposed park;

The application shall be accompanied by two sets of plans and specifications drawn to scale showing the layout of the park, the location, size and arrangement of each park unit, location of streets, location of water services, and the location of septic systems. One set of plans shall be retained by the Code Enforcement Officer and the second set retained with the application. The application must be accompanied by a certified or photostatic copy of the lease or deed to property.

3. Filing of Application and Submission of Same to Code Enforcement Officer and Town Board

Each application shall be filed with the Town Clerk who shall then transmit the same to the Code Enforcement Officer. Such application shall show compliance by the applicant with the minimum park requirements as established by rules and regulations of the State Department of Health and by the Sanitary Code of the State of New York. The Code Enforcement Officer shall, after investigation, transmit the application to the Town Board, with his written approval of recommendations pertaining thereto. All such applications shall be subject to a Public Hearing, and after investigation shall be approved or rejected by the Town Board. After such approval or rejection the application shall be filed with the Town Clerk and the applicants notified in writing by the Code Enforcement Officer of the action taken thereon. If said application is rejected, the applicant shall have the right to appear before the Town Board for a hearing.

4. Issuance of Permit

Any permit issued pursuant to this local law shall be effective from the date of issue and continue in force through the 31st day of December next succeeding. The permit shall specify the number of the park units which may be placed in said park. Any deviation of the original permit plans require a new permit and plans.

5. Fees

The applicant for a Mobile Home Park permit shall at the time of issuance of any such permit, pay to the Town Clerk a fee of ten dollars(\$10.00) per park unit, based upon the maximum number of purposed park units as shown in the application. The minimum fee for such permit shall be one hundred dollars(\$100.00).

B. REGULATIONS FOR MOBILE HOME PARKS:

1. Locations

No Mobile Home Park shall be located within 2,500 feet of the boundary line of any property used for public school purposes.

2. Drainage and Grading

Land must be well drained, ample size and free from dense growth of brush or woods.

3. Distance and Space Requirements

The park is to be subdivided into park units not less than 7,000 square feet and at least 70 feet wide. No more than one mobile home may be placed on one park unit. No park unit shall be within 75 feet of any public highway (center line), nor within 50 feet of any dwelling house located on adjacent property, nor within 25 feet of another mobile home. All mobile

homes shall be at least 500 square feet minimum size. All mobile homes will be required to have HUD decal.

4. Water Supply

An adequate supply of water shall be provided for mobile homes, service buildings and other accessory buildings. All mobile homes, service buildings and other accessory buildings shall be connected to and supplied exclusively by public water where public water is available. If a public supply is not available, the development of a private water supply system shall comply with Part 5 of the New York States Sanitary Code and be approved by the Public Health Authority.

5. Park Maintenance

All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.

6. Disposal of Sewage

An adequate and approved system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings and facilities. Compliance with Part 7, New York State Sanitary Code, and approval by the Department of Health or appropriate agency is required before any permit may be issued.

7. Electric Service and Connection

Each mobile home park shall provide weatherproof electric service connection and outlets for each park unit, all such connection and outlets to be of a type approved by the New York State Board of Fire Underwriters.

C. RECORD KEEPING REQUIREMENTS

The owner or operator of each mobile home park shall keep a permanent record in writing of all persons occupying or using the facilities of each mobile home park, which record shall include the following:

1. The name and address of each occupant of each mobile home.
2. Date of arrival and date of departure from said mobile home park and of each mobile home and of each occupant of each mobile home.
3. Name and Address of owner of each mobile home.
4. Make and color of mobile home.
5. Registration year and number of each mobile home and the State in which so registered.
6. Any deviation from the original permit plan.

D. INSPECTIONS

Any police officer or Code Enforcement Officer of the Town shall have the right, at any reasonable time, to enter any mobile home park to inspect all parts of said premises and to inspect the records required to be kept in any mobile home park. Anytime a mobile home is removed from said park and another mobile home replaces it, a new permit and inspection will be required for that replacement unit.

E. REVOCATION OF PERMIT FOR MOBILE HOME PARK

Upon complaint of non-compliance with this Local Law, the Town Board may direct an order be served upon the permit holder or person in charge, directing conditions be remedied within 10 days of service. Upon further non-compliance, the Town Board may require appearance by permit holder to show cause why permit should not be revoked. The Town Board may hold a hearing and take testimony at which permit holder may be heard. After such hearing and a finding of non-compliance by the Town Board, if such non-compliance is not corrected within 10 days, the Board may revoke the permit for non-compliance with this Local Law or any of its provisions. Upon such revocation, the premises shall cease to be used for purposes of a mobile home park and all mobile homes shall forthwith be removed therefrom. If any mobile home remains on the premises more than thirty days after revocation of the permit any penalties available under the Junk Law shall apply.

F. RENEWAL OF PERMIT

Renewal application for mobile home park must be filed with the Town Clerk on or before the 1st day of December next preceding expiration of permit. Upon approval by Code Enforcement Officer and/or Town Board, the Town Clerk shall issue a renewal permit for a one-year period. The fee for such permit shall be \$100.00 plus \$10.00 for each unit in excess of 10 units.

G. APPLICATION TO EXISTING MOBILE HOME PARKS

All existing mobile home parks in the Town of Wayland shall comply with all provisions of this Local Law, except the provisions of Part B, subdivision 1 and Part B, subdivision 3 of this Section. Any additions, extension or enlargements of existing parks shall be made in compliance with all the provisions of this Local Law.

SECTION 5. LAND AREA REQUIRED FOR PLACEMENT OF RESIDENCE HOMES, INCLUDING MOBILE HOMES OR TRAILERS.

1. SINGLE -- FAMILY RESIDENCE

No single family mobile home and no house or building designed for not more than one family shall be placed or parked, erected or constructed on any land within the Town of Wayland, other than a mobile home situated in a mobile home park, unless the area or lot on which placed or erected shall be not less than 43,560 square feet (one acre) for each such mobile home or dwelling.

2. MULTI-FAMILY RESIDENCE

Structures designed as living quarters for more than one family shall have an additional ½ acre of land for each additional family unit up to five family units; a sixth family unit shall have an additional one acre of land and an additional ½ acre of land shall be required for each family unit for the seventh through tenth family unit. The same requirements in the same proportion shall be maintained for any additional family units above ten units. There shall be two parking spaces provided for each family unit.

3. SET BACK REQUIREMENTS

Each such mobile home or dwelling shall be located not less than 25 feet distant from side or rear boundaries and 50 feet distant from the centerlines of all roads.

4. SANITARY FACILITIES

Each such lot must have conveniently accessible to such dwelling house or mobile home, adequate sanitary facilities and approved water supply. No sewage disposal system shall be nearer than 50 feet to the nearest road right-of-way.

5. LIVING AREA OF MOBILE HOME AND RESIDENCE

No mobile home or residence shall be placed and used on any lot unless containing not less than 500 square feet of living space. HUD decal.

6. TEMPORARY USE

The Town may authorize a temporary non-conforming use or placement of a mobile home when it is to be occupied while the owner is erecting or substantially altering a dwelling, but not to exceed six (6) months, except upon an application to the code enforcement officer whom may extend such time period at his discretion.

7. UNDERSIZED LOTS

The provisions of this Local Law shall not prohibit the use of a lot less than the required area for a single family dwelling or mobile home, provided that all other provisions of this Local Law are complied with, when, such a lot, at the time of the passage of this Local Law, was owned by persons other than those owning any adjoining lots.

SECTION 6. ACCESSORY STRUCTURES, OBJECTS, ORNAMENTALS, ETC.

Any object or structure that is not attached to a principal structure, including fencing, shrubs, trees and swimming pools, may be erected or placed subject to the following requirements:

1. No object or structure shall be located within 3 feet of a side or rear property lines.

See next page

2. No object or structure, except shrubs, shall be located within 5 feet of a main structure or dwelling.
3. All fencing shall be constructed with the "good side" directed towards neighboring lot.
4. All such objects and structures shall be maintained in satisfactory condition at the discretion of the Code Enforcement Officer and/or Town Board.
5. Any activity closer than 3 feet to a property line shall require a written agreement between both property owners involved, acknowledged in the same manner as required for the filing of a deed, stating that there is no objection to the request and that permission is granted for access onto adjoining property for maintenance. The permit application and letters of agreement shall be submitted to the Code Enforcement Officer for his review and approval.

SECTION 7. VARIANCES

1. *Procedure:* All applications for variances from the requirements set forth in this local law shall be presented in writing to the Code Enforcement Officer for his review and then presented to the Town Board at their monthly meetings by the Code Enforcement Officer for its approval. The Town Board or any other appointed board, may at its discretion, grant a variance based on individual circumstances to any person who leases or owns property within the Town of Wayland. No such variance shall be deemed to have set any precedent with regard to any future application for variances made by anyone.

2. *Hearing:* The Town Board shall fix a reasonable time for a public hearing of variances and shall give due notice of the time set for the hearing to the applicant. Any party may appear in person, or by agent or attorney. Applications for variances shall be decided upon within 45 days of the final hearing.

3. *Notice of Hearing:*

(a) *Notice to Public:* Notice shall be given to the public at least ten (10) days in advance of the hearing by publication of a notice in the official newspaper of the Town of Wayland and shall briefly describe the nature of the variance sought and the time and place of the hearing. Notice of such hearing shall be posted in the Town Hall at least ten (10) days prior to such hearing.

(b) *Notice to Owner:* The owner of the property for which a variance is sought or his agent shall be notified by first class mail at least fifteen (15) days in advance of the hearing of the date, time and place of the hearing and of the notice required to be given adjacent property owners as set forth in 3(c) of this section.

(c) *Notice to Adjacent Property Owners:* Notice of the hearing setting forth the variance sought and the date, time and place of the hearing shall be served on owners or occupants of property adjoining the property of the owner

Section 1. The purpose of this local law is to amend Section 6 of Local Law # 4 of 1995 REQUIRING PERMITS FOR BUILDING AND CONSTRUCTION ACTIVITY, FOR PLACEMENT OF MANUFACTURED HOMES, FOR REGULATION OF MOBILE HOME PARKS AND FOR LAND AREA REQUIREMENTS to remove restrictions on fences used for agricultural purposes to conform with New York State Agricultural and Markets Law.

Section 2. Local Law # 4 of 1995 REQUIRING PERMITS FOR BUILDING AND CONSTRUCTION ACTIVITY, FOR PLACEMENT OF MANUFACTURED HOMES, FOR REGULATION OF MOBILE HOME PARKS AND FOR LAND AREA REQUIREMENTS is hereby amended by the addition of a new subsection to be added to the end of SECTION 6. ACCESSORY STRUCTURES, OBJECTS, ORNAMENTALS, ETC. of the aforesaid law as enumerated and set forth as follows:

“6. The restrictions set forth within this Section 6 shall not be applied so as to restrict the erection, alteration or reconstruction of fences used in connection with farms or other agricultural purposes, except insofar as such fences may affect the public safety.”

Section 3. Should any section or provision of this Local Law be decided by the Courts to be unconstitutional or invalid, such decision shall not effect the validity of the Law as a whole or any part thereof, other than the part so decided to be unconstitutional or valid.

Section 4. This Local Law shall take effect immediately upon adoption and filing as required by the Laws of the State of New York.

who is seeking the variance by certified mail ten (10) days prior to such hearing
BY AND AT THE EXPENSE OF THE OWNER OF THE PROPERTY FOR
WHICH A VARIANCE IS SOUGHT.

SECTION 8. ISSUANCE OF PERMITS NOT TO WAIVE COMPLIANCE WITH OTHER STATUTES OR ORDINANCES

The issuance of a permit pursuant to the provisions of this Local Law shall not be deemed to waive compliance by the holder thereof, by the property owner, or by any occupant, or by any tenant, with any statute of the State of New York or ordinance or health regulation of the Town of Wayland.

SECTION 9. SEPARABILITY

Should any section or provision of this Local Law be decided by the Courts to be unconstitutional or invalid, such decision shall not effect the validity of the Law as a whole or any part thereof, other than the part so decided to be unconstitutional or valid.

SECTION 10. EXCEPTIONS

1. None of the provisions of this Local Law shall be applicable to the business of mobile home sales.

2. The provisions of this Local Law shall not be applicable within the incorporated Village of Wayland.

SECTION 11. PENALTIES

The violation of any of the provisions of this Law is a violation for which the violator may be fined FIFTY DOLLARS (\$50.00). Each week of continued violations shall constitute a separate offense.

SECTION 12. REPEALER.

This local law shall supersede all prior local laws, ordinances, rules and regulations relative to building, construction and mobile homes within the Town of Wayland and they shall be, upon the effective date of this ordinance, null and void.

SECTION 13. EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption and filing as required by the Laws of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 1995 of the (County) (City) (Town) (Village) of WAYLAND was duly passed by the TOWN BOARD on June 19, 1995, in accordance with applicable provisions of law.

2. ~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ on _____ 19____, and was (approved) (not disapproved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____ in accordance with applicable provisions of law.

3. ~~(Final adoption by referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19____ and was (approved) (not disapproved) (repassed after disapproval) by the _____ on _____ 19____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 19____ in accordance with applicable provisions of law.

4. ~~(Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved) (not disapproved) (repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ in accordance with applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws and ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on _____ 19____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ 1 _____, above.


BEVERLY ROBINSON
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body

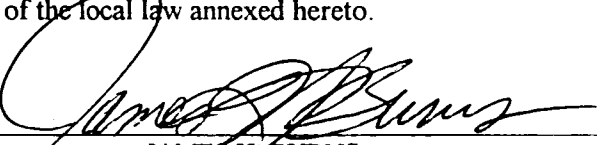
(Seal)

Date: 6-19-95

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF _____ STEUBEN _____

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.


Signature JAMES H. BURNS
ATTORNEY FOR THE TOWN
Title

County
City
Town
Village

of WAYLAND

Date: June 19, 1995



STATE OF NEW YORK
DEPARTMENT OF STATE
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL
SECRETARY OF STATE

July 6, 1995

JAMES H. BURNS
ATTORNEY AT LAW
12 PULTENEY SQUARE WEST
BATH, NY 14810

RE: Town of Wayland, Local Law 4, 1995, filed 06/26/95

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Sincerely,

A handwritten signature in cursive script that reads "Janice G. Durfee".

Janice G. Durfee
Principal File Clerk
Bureau of State Records
(518) 474-2755

JGD:ml